



Testimony of Joline Price, Community Legal Services of Philadelphia, regarding the Proposed Rulemaking for the CO2 Budget Trading Program, December 14, 2020

Good afternoon. My name is Joline Price. I am a Supervising Attorney in the Energy Unit at Community Legal Services of Philadelphia. Thank you for the opportunity to testify today regarding the CO2 Budget Trading Program. CLS is a non profit organization that provides free legal services to low income Philadelphians. The Energy Unit advocates so that people have access to affordable water, heat, and electricity in their homes.

The Energy Unit provides direct representation to low income Philadelphians struggling to maintain affordable utility service and advocates for policies and programs that make utilities more affordable and accessible. Frequently, our client's high bills and high usage are driven not by their own actions, but by the inefficiencies of the houses and buildings that they live in.

Home repair and energy efficiency programs may be available for some – but even then can be difficult to access, have long waiting lists, or provide only short-term, shallow efficiency measures, such as replacing lightbulbs. Some of our clients, who live in homes they may have inherited or arranged to purchase, may not be eligible for the weatherization and repair assistance that is necessary for an energy



efficient home. In both cases, the need for deep efficiency measures is more often than not unresolved.

It is also well documented that low income and minority communities are disproportionately impacted by climate change. One example is the heat island effect in Philadelphia. Certain Philadelphia neighborhoods can be as much as 20 degrees hotter in the summer – rising temperatures, caused by climate change, are exacerbating this problem. The warmest neighborhoods in Philadelphia are also the most economically stressed and are more often than not majority black or Hispanic.¹ Households in these same neighborhoods are most likely to have unaffordable energy bills, in some cases exceeding 30% of their income.² These concerns are amplified by the current COVID-19 crisis – in Philadelphia and across the commonwealth, where families must stay home and kids attend school virtually, leading to higher energy use and more time spent in homes that may not be safe or healthy.

At the same time, low income households are also least able to absorb the costs associated with solutions and mitigation of climate change. This financial burden can lead to difficulty maintaining utility service, food insecurity, housing instability, and health issues.

The Department appropriately recognizes that energy efficiency is a vital area for investment. We urge the Department to prioritize investment in programs that will directly reduce energy costs for low-income and other marginalized communities,

¹ <https://www.inquirer.com/philly/health/environment/weather-philadelphia-temperature-summer-neighborhood-map-20180629.html>

² See Roger Colton, Pennsylvania Home Energy Affordability Gap: 2019 (April 2020), http://www.homeenergyaffordabilitygap.com/03a_affordabilityData.html.



including home repair, energy efficiency and weatherization. There are many programs already serving thousands of low-income families across Pennsylvania, but more investment is critical. Such investment should be thoughtful and targeted to supplement and strengthen already existing programs. In particular, programs should expand to meaningfully serve tenant properties and family homes that may have tangled titles. Strong investment in home repair, weatherization and energy efficiency would help to improve Pennsylvania's housing stock and the health and economic stability of hundreds of thousands of low-income families.

In addition, we join the Pennsylvania Utility Law Project in recommending two amendments to the rulemaking to fully address economic and localized impacts of the program on low income and minority communities:

First, DEP should be required to conduct a triennial assessment of the economic and environmental impacts of the program, and issue a public report including recommendations to improve outcomes. After the release of each report, public comment should be gathered, with targeted notice and outreach in impacted communities to facilitate authentic engagement in the review process.

Second, the rulemaking should establish a roadmap to reinvestment of auction proceeds, and should include specific language that prioritizes reinvestment in locally administered programs that provide direct energy and economic benefits in low income and minority communities. It should be clear that this reinvestment will be used to expand existing programs - not supplant or replace them.

Thank you.